

Shannon Burns

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 ~~~~~

5 REAL GOOD TECHNOLOGIES, LLC,
6 Plaintiff & Judgment
7 Creditor,

8

9 vs. Case No. 1:17-cv-00149-DCN
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11 VICTORY SOLUTIONS, LLC,
12 Defendant & Judgment
13 Debtor.

14 ~~~~~

15 30(B) (6) Deposition of
16 SHANNON BURNS
17 CONDUCTED VIA ZOOM

18

19

September 9, 2020
20 1:02 p.m.

21 Taken at:

Forbes Law, LLC
22 166 Main Street
Painesville, Ohio 44077

23

24

25 Nancy L. Molnar, RPR, CLR



Shannon Burns

1 APPEARANCES:

2

3 On behalf of the Plaintiff:

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Shannon Burns

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I N D E X

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EXAMINATION OF SHANNON BURNS

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BY MR. MURPHY:

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EXHIBITS MARKED

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Exhibit 1, 30(B) (6) Notice of

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Deposition,

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Exhibit 2, printout from the Secretary 6
of State,

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Exhibit 3, printouts from the Victory 10
Solutions website,

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Exhibit 4, notice of location of 19
property equipment,

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Exhibit 6, Garnishee list of names, 33

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Exhibit 9, Bankruptcy Form 202 for 46
Victory Solutions, LLC, dated March
12, 2018,

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Shannon Burns

1 SHANNON BURNS, of lawful age, called for
2 examination, as provided by the Federal Rules of
3 Civil Procedure, being by me first duly sworn, as
4 hereinafter certified, deposed and said as follows:

5 EXAMINATION OF SHANNON BURNS

6 BY MR. MURPHY:

7 Q. Good afternoon, Mr. Burns. I'm Mike
8 Murphy. We met before. Before we get started
9 here on this 30(B) (6) deposition, I sent you a
10 copy of a binder. It looks like it's sitting to
11 your left. And I sent a copy to your counsel as
12 well. We're all remote, but also looking at the
13 same documents.

14 I've got what's in the binder called up
15 on a shared screen in a single pdf and we'll
16 cross reference that as well, so I can direct you
17 to certain texts, but we're not videoing this
18 deposition, but we have the ability to see each
19 other. But there will be a written record, so
20 we'll try to not talk over each other. And we'll
21 have ourselves a clean record and Nancy will not
22 be ready to kill us both.

23 Are you ready to go?

24 A. Sure am.

25 - - - - -

Shannon Burns

1 (Thereupon, Plaintiff's Deposition Exhibit 1,
2 30(B) (6) Notice of Deposition, was marked for
3 purposes of identification.)

4 - - - - -

5 Q. All right. So we're looking here at
6 Exhibit 1, which is the 30(B) (6) notice. And
7 have you seen this document before? It's in
8 tab 1 of your binder. Specifically looking at --
9 if you look at -- there's page numbers in the
10 lower right, the topics start at page 5.

11 A. Okay. Sure.

12 Q. And you understand that you're a
13 30(B) (6) witness today, which means you've been
14 designated to testify about information known or
15 reasonably available to the organization on these
16 topics?

17 A. Yes.

18 Q. Okay. And I didn't receive any
19 objections to the written topics. I may get some
20 objections to some of my questions, but unless
21 your counsel instructs you not to answer, you
22 should answer my question to the best of your
23 ability based on information known or reasonably
24 known to you.

25 What did you do to prepare for today's

Shannon Burns

1 deposition?

2 A. I just reviewed the requests that you
3 sent over.

4 Q. Did you review any documents?

5 A. I did not.

6 Q. Okay. How long did you spend reviewing
7 the deposition notice?

8 A. I couldn't say.

9 Q. Within an hour?

10 A. Less than an hour.

11 Q. Okay. And other than this, you didn't
12 review any documents?

13 A. No, sir.

14 Q. Okay. Based on a review of the topics
15 in the notice, are there any that jump out at you
16 that you're not prepared to testify to today?

17 A. I don't believe so.

18 Q. Okay. Are there any other people who
19 would be more appropriate to testify as to
20 certain topics in this deposition notice?

21 A. No, sir.

22 - - - - -

23 (Thereupon, Plaintiff's Deposition Exhibit 2,
24 printout from the Secretary of State, was marked
25 for purposes of identification.)

Shannon Burns

1

2 Q. All right. Let's look at topic 1 is
3 Victory Solutions's Corporate Form, if I can get
4 you to turn to page tab 2 in the binder, which is
5 Exhibit 2, it's the printout from the Secretary
6 of State?

7 A. Yes.

8 Q. Now, it lists Victory Solutions as a
9 domestic limited liability company and that it's
10 still active.

11 Is that all current?

12 A. That's correct.

13 Q. Okay. Now, it lists you as the
14 registered agent; and that's still the case?

15 A. Yes.

16 Q. Okay. Are you, Shannon Burns, are you
17 associated with any other corporations or
18 partnerships or LLPs currently?

19 A. There is a -- in January of this year, I
20 did start a different LLC that is nothing of any
21 consequence. It's just an LLC that is not
22 operating.

23 Q. What is that called?

24 A. Honestly, I don't remember the name. I
25 changed it a few times in doing it. I have to

Shannon Burns

1 get back to you on what the name is, but it's not
2 even operating.

3 Q. What's the purpose of the LLC?

4 A. I thought that we were going to go out
5 of business, so I thought I needed to start one
6 to do consulting.

7 Q. And you don't know -- where is it
8 registered? Is it registered in Ohio?

9 A. Yes, sir.

10 Q. Okay. You don't know the -- sitting
11 here, you don't know the name of it?

12 A. I don't.

13 Q. You set that up in January of 2020?

14 A. Somewhere around that time.

15 Q. Was there anybody else associated with
16 that LLC?

17 A. No.

18 Q. Okay. That LLC has never operated?

19 A. Correct.

20 Q. Okay. And it's never generated any
21 income?

22 A. No.

23 Q. Okay. Nobody's taken a salary?

24 A. No, no income, no bank account, nothing.

25 (Telephone interruption.)

Shannon Burns

1 MR. MURPHY: Glenn, was that your
2 ringer?

3 MR. FORBES: It was, and I'm turning it
4 off. Go ahead. It was spam anyway.

5 MR. MURPHY: Sticking with your Scottish
6 roots here.

7 MR. FORBES: Yes, and my undergrad at
8 Wooster.

9 MR. MURPHY: Fair enough.

10 BY MR. MURPHY:

11 Q. All right. So do you have employment
12 outside of Victory Solutions at this time?

13 A. No.

14 Q. You're not paid by anybody else?

15 A. No.

16 Q. Are you working for any campaigns in any
17 capacity?

18 A. No.

19 Q. Okay. Are you working at all for the
20 Trump 2020 Campaign right now?

21 A. No.

22 Q. Okay. Have you worked for the Trump
23 2020 Campaign at any time during 2019 or 2020?

24 A. No, I've never worked for them.

25 Q. Are you a contractor for the --

Shannon Burns

1 A. No.

2 Q. -- Trump 2020 Campaign?

3 Have you received any money from the
4 2020 Campaign that would be reported to the FEC?

5 A. That would be reimbursed for expenses
6 from them.

7 Q. So just expenses, there's no salary, no
8 per diem, nothing on top of actual hard expenses?

9 A. There may be some per diems as well, but
10 expenses and per diems, no, that would be it.

11 Q. Is that under -- do you have a signed
12 contract with them?

13 A. No, I was just volunteering for the
14 campaign.

15 Q. So not in any sort of hired, employed or
16 independent contractor capacity?

17 A. That's correct.

18 - - - - -

19 (Thereupon, Plaintiff's Deposition Exhibit 3,
20 printouts from the Victory Solutions website, was
21 marked for purposes of identification.)

22 - - - - -

23 Q. All right. If I could get you to turn
24 to what will be Exhibit 3, which is some
25 printouts from the Victory Solutions website. I

Shannon Burns

1 want to talk about the goods and services that
2 Victory Solutions provides. Looks like on page
3 15 of the binder in Tab 3 it says, "Our Product
4 Suite."

5 That's what you refer to as the services
6 that you provide?

7 A. Yes.

8 Q. Okay. And one of those is Victory VoIP?

9 A. Yes.

10 Q. Is that right?

11 Is that correct?

12 A. Yes.

13 Q. One thing is we will need audible
14 answers because we have a written record.

15 A. I did. I think I just talked over you.

16 Q. Okay. What is Victory VoIP exactly?

17 A. It is a VoIP phone system that we rent
18 to campaigns.

19 Q. Okay. And then the next one on page 17
20 here it says, "Live Calls."

21 What's entailed in live calls?

22 A. I'm sorry, hold on for a moment, please.

23 (Whereupon, the witness muted his
24 microphone.)

25 I apologize. We have a bit of a family

Shannon Burns

1 emergency today, so I am with my girls as well so
2 we may have a couple of interruptions.

3 Q. I apologize. I have homebound kids as
4 well. I snuck out to the office to do today.

5 A. I apologize, I don't recall your
6 question. You can reask that now.

7 Q. Oh, we were talking about live calls.

8 That's another service that Victory Solutions
9 provides?

10 A. Yes.

11 Q. Okay. And they still currently provide
12 that?

13 A. Yes.

14 Q. Okay. And then Victory Town Hall, what
15 is Victory Town Hall?

16 A. It is an automated calling product that
17 calls multiple voters and hosts a live conference
18 call with those voters.

19 Q. And then the last one on this, on page
20 19, is Victory Cloud. What is Victory Cloud?

21 A. It's an automated calling platform where
22 we send automated messages out to voters.

23 Q. Now, automated messages, is that voice
24 messages?

25 A. Yes.

Shannon Burns

1 Q. Okay. That's distinct from text
2 messages?

3 A. That's correct.

4 Q. Okay. Now, do you have any other
5 offerings through Victory Solutions?

6 A. We do offer text messaging, peer-to-peer
7 texts going out to voters. And we also offer
8 improvement to data files. It lists improvement
9 services.

10 MR. MURPHY: Nancy, is his mic cutting
11 out on you?

12 THE REPORTER: No.

13 MR. MURPHY: Are you able to catch that?

14 THE REPORTER: Yes, I'm getting it.

15 MR. MURPHY: Okay.

16 BY MR. MURPHY:

17 Q. Okay. So first one you talked about,
18 peer-to-peer texts, is that something called
19 Victory Text?

20 A. Yes.

21 Q. When did you start offering that?

22 A. Sometime in 2019. I don't know exactly
23 when.

24 Q. Okay. What type of equipment is
25 involved in Victory Texts? Are there servers?

Shannon Burns

1 How does it work?

2 A. There's no equipment involved. We
3 wholesale a product.

4 Q. Okay. And who do you wholesale it
5 through?

6 A. Excuse me?

7 Q. I mean, how does it work? What do you
8 sell exactly?

9 A. It's a web-based peer-to-peer texting
10 platform that we white label and sell as Victory
11 Text, so the product is all web based, software
12 to service.

13 Q. Who do you license it from?

14 A. The company is Point Blank Political.

15 Q. And by white labeling it, you just mean
16 you put Victory Text on it?

17 A. Correct.

18 Q. On the interface or whatever?

19 A. Correct.

20 Q. Okay. You said that was Point Blank
21 Political Solutions?

22 A. Point Blank Political.

23 Q. Okay. Where are they located?

24 A. In Florida.

25 Q. Florida. Who do you deal with at Point

Shannon Burns

1 Blank Political?

2 A. My contact is Hunter Lamirande. I don't
3 think I could produce his -- spell his name.

4 It's French.

5 Q. That's fine. We can find it.

6 Now, you talked about improvement to
7 data file. What is that? What type of work is
8 that?

9 A. Campaign would have a voter file and
10 they need new phone numbers appended to it or
11 other data appended to it. And we broker various
12 vendors that provide that and then help improve
13 that data file for the campaign.

14 Q. So talking about brokers, is that the
15 same or different than a reseller?

16 A. A reseller sells for us. If we broker,
17 we are brokering from a vendor that we're buying
18 from.

19 Q. Okay. So you said a reseller sells for
20 you. Sells for Victory Solutions to various
21 political campaigns or entities or whatever,
22 nonprofits, whatever type of organization that
23 uses one of your suite of products?

24 A. Yes.

25 Q. Okay. And the main point of contact at

Shannon Burns

1 Victory Solutions for those resellers?

2 A. Would be me.

3 Q. Okay. Is there anybody else that deals
4 with them directly?

5 A. No.

6 Q. Okay. And you develop all those
7 relationships personally?

8 A. Yes.

9 Q. Okay. So you would know all those
10 people?

11 A. Yes.

12 Q. Do you have written agreements with
13 those resellers?

14 A. No.

15 Q. Tell me about how the reseller
16 relationship works.

17 A. We establish a price for our products
18 that we sell to our resellers. They buy the
19 product from us and then sell to campaigns at
20 whatever price the value of their service is.

21 Q. So what documentation would you have
22 that will -- not to confuse things, so one we'll
23 talk about later is Kania Enterprises.

24 Is that one that you do work with?

25 A. I'm familiar with Kania Enterprises, but

Shannon Burns

1 we do not do business with Kania Enterprises.

2 Q. Okay. Have you ever done business with
3 Kania Enterprises?

4 A. I don't recall.

5 Q. Okay. How would you find out if you
6 did? Where would you look?

7 A. I don't know. I mean, I think that what
8 you're getting at is that Kania Enterprises has a
9 sister company called Direct Tech Solutions, and
10 that's who we do business with. I don't know if
11 we've ever done any business with Kania
12 Enterprises.

13 Q. Okay. And, you know, again, just strike
14 Kania as a -- just call it ACME Political
15 Strategies, right, just a generic name.

16 Where would you go in your records to
17 find out the list of resellers that you're either
18 currently doing business with or have done
19 business with in the last two years?

20 A. I would go to QuickBooks.

21 Q. QuickBooks. Okay. Who operates your
22 QuickBooks?

23 A. I do.

24 Q. Anybody else?

25 A. No.

Shannon Burns

1 Q. Okay. Now, you recall there was a woman
2 named Shannon Anderson -- or no, Melissa
3 Anderson.

4 Does she still work with you?

5 A. No.

6 Q. She was doing accounting, I think?

7 A. No.

8 Q. Okay. So QuickBooks is something that
9 you're facile with, you can operate and find the
10 names of people who you're doing business with or
11 owe you money or accounts receivable or accounts
12 payable, whatever?

13 A. Yes.

14 Q. Okay. Now, when you -- you said you
15 provide a price.

16 Do you provide a written estimate to
17 them on some sort of written offer that they can
18 accept or reject?

19 A. No.

20 Q. Okay. So how do you -- you said Direct
21 Tech Enterprises. How does Direct Tech know what
22 its price structure is?

23 A. We have a standard price sheet that they
24 go off have to build out a -- so they know what
25 they would be charged for a contract with the

Shannon Burns

1 customer, they go out and secure business and buy
2 from us at the price structure that we've
3 established.

4 Q. So that's just a standard price
5 structure, kind of take it or leave it?

6 A. Correct.

7 Q. Is it modified for anybody?

8 A. As a rule, no. There have been
9 exceptions, but as a rule, it doesn't get
10 modified.

11 - - - - -

12 (Thereupon, Plaintiff's Deposition Exhibit 4,
13 notice of location of property equipment, was
14 marked for purposes of identification.)

15 - - - - -

16 Q. Okay. I'd like to ask you about -- if I
17 can get you to turn to Exhibit 4. And this is a
18 notice of location of property equipment. I want
19 to talk to you about the table on page 42 of the
20 binder.

21 A. Okay.

22 Q. I want to talk about those list of
23 columns there. System number, there's a VV
24 number. What is that VV number?

25 A. That would be the designation for the

Shannon Burns

1 Victory VoIP system that is listed.

2 Q. Okay. So each system has a unique
3 identifier in your inventory?

4 A. Correct.

5 Q. When you send phones out to a campaign,
6 say how do you track which ones were sent? What
7 type of computers? Is it computer tracking? Is
8 that kept on paper?

9 A. We track that through a web-based system
10 that we build ourself. We refer to it as the
11 E-Site.

12 Q. E-Site?

13 A. Yes.

14 Q. That has a reporting function?

15 A. On-screen reporting, there's no -- yes,
16 on-screen reporting.

17 Q. Okay. But you can't print from there or
18 export?

19 A. Never tried.

20 Q. You've never tried to print from your
21 proprietary website that you track inventory
22 from?

23 A. No, sir.

24 Q. How did you run this report then? How
25 did you get the automation for this?

Shannon Burns

1 A. I hand typed those in.

2 Q. All right. What is an HQ?

3 A. It's an abbreviation for a headquarters
4 unit.

5 Q. Is that like a server?

6 A. Yes, server. Server case, yes.

7 Q. What's a CE?

8 A. It's an abbreviation for a candidate
9 edition unit.

10 Q. What is that exactly?

11 A. It is what we refer to as a small Linux
12 appliance that's on the back of a phone.

13 Q. Total phones, what other -- do you
14 capture information in your E-Site on these
15 fields?

16 Like, is there a campaign name? Is it
17 linked to a reseller? What other information do
18 you capture in your E-Site?

19 A. It would be linked to a reseller.

20 Q. Okay. So on the top line here, VV0051,
21 you would know if you looked at the E-Site site
22 who the reseller was.

23 Would you know who the contact
24 information is for that E-seller?

25 A. We don't have contact information in

Shannon Burns

1 there, no.

2 Q. Okay. So what other fields do you have
3 in the E-Site that you can think of?

4 A. It just identifies which reseller and
5 campaign name that system is assigned to.

6 Q. Okay. Anything beyond those two fields?

7 A. I don't believe so.

8 Q. Doesn't have contact information for the
9 reseller, doesn't have contact information for
10 the campaign?

11 A. It's possible that sometimes it does,
12 but it's not consistent. So that information is
13 what we input into the system. Sometimes the
14 reseller will input other information as well.

15 Q. Would you conduct a search to find out
16 where all your equipment is currently deployed?

17 What would be involved in that?

18 A. It would be to reach out to each of the
19 resellers to identify where the equipment is.

20 Q. Well, isn't that -- campaign state
21 doesn't capture that? You couldn't go in and say
22 campaign state right now and print out or look at
23 a list of where you have phones in HQs and CEs?

24 A. Every order that goes out we know where
25 we shipped it to, but that doesn't mean that's

Shannon Burns

1 where it is. We'll regularly ship to a reseller
2 and then they'll take it to the campaign, so.

3 Q. Okay.

4 A. So we'll know where we ship to.

5 Q. So Campaign Street is not the campaign
6 or that's the reseller?

7 A. That would be the last known address
8 that we had for where it was sent to. So labeled
9 as campaign maybe also reseller, it just depends
10 on the specific circumstance. So it may have
11 been a campaign or it may have been a reseller.

12 Q. Okay. How do you get the direction from
13 your reseller where to send it? How is that
14 communication made?

15 A. They send us an order form that has the
16 shipping address on it.

17 Q. Okay. How do you keep those order
18 forms?

19 A. On my computer.

20 Q. Okay. So they're stand in, there's
21 electronic copies of those?

22 A. Yes.

23 Q. Are those readily accessible?

24 A. Yes.

25 Q. You know where they are specifically,

Shannon Burns

1 you could go right to them, open up your computer
2 right now, for instance?

3 A. Yes.

4 Q. Okay. How do you name the files? Do
5 you have a certain naming system that you use to
6 identify those?

7 A. No, there's not really a specific naming
8 structure.

9 Q. Okay. But you could sort them by date,
10 for example?

11 A. No, we store them by reseller, so I
12 couldn't really sort them by anything.

13 Q. Okay. About how many resellers are you
14 currently doing business with?

15 A. Off the top of my head, I don't know the
16 answer to that.

17 Q. More than 10?

18 A. I'm sorry, ask that again, please.

19 Q. How many resellers are you currently
20 doing business with?

21 A. I said I don't know exactly how many.

22 Q. More than 10?

23 A. Yes.

24 Q. Okay. More than 20 do you think?

25 A. I doubt it.

Shannon Burns

1 Q. I'd like to go back to page 5 and look
2 at it on the screen here. One of the topics,
3 topic 4 was current location of any Victory
4 Solutions property outside of Ohio and the person
5 who or entity that is in possession of the
6 property, including the name of the principal
7 contact of the entity, person's job title, and
8 contact information.

9 Now, sitting here right now, are you
10 able to tell me that Victory Solutions has
11 shipped phones or any other equipment outside the
12 State of Ohio either through a reseller or
13 directly to a campaign?

14 A. Sitting here now, I couldn't recount
15 that to you.

16 Q. Okay. And you didn't do anything to
17 prepare for this particular topic in advance of
18 your deposition?

19 A. No, I didn't.

20 Q. Okay. You didn't look at your E-Site or
21 do any sort of searches to determine which
22 resellers had property outside of Ohio at this
23 precise moment?

24 A. No, I didn't.

25 Q. Okay. Is there a reason you didn't do

Shannon Burns

1 that?

2 A. I am a one-man show and have a lot of
3 family issues happening right now and honestly
4 don't even have time to operate my company.

5 Q. Okay. And I understand that. I have a
6 client who you owe several hundred thousands
7 dollars to and I'm trying to collect that for
8 him, you know. I did provide a draft copy of
9 these topics probably six weeks, almost two
10 months ago at this point, but we can take that up
11 at a later date.

12 But can you name a single reseller
13 outside of the State of Ohio where you currently
14 sent phones or servers or HQ or CEs to as we sit
15 here today?

16 A. Sure. I know that we sent systems to
17 Fitzsimmons Consulting Communications out of New
18 Jersey.

19 Q. Fitzsimmons is in New Jersey. Who is
20 the contact there?

21 A. Tom Fitzsimmons.

22 Q. Okay. Now, is that for a campaign or is
23 that for something else?

24 A. I honestly don't remember.

25 Q. Okay. But if you look at your E-Site

Shannon Burns

1 now, you could go under the reseller for
2 Fitzsimmons and determine precisely which units
3 he directed you to send or caused you to send?

4 A. Yes.

5 Q. You would know where you sent that to,
6 the address?

7 A. With some research, we could determine
8 that.

9 Q. Okay. Research beyond the E-Site,
10 what's available in the E-Site?

11 A. Yes.

12 Q. Okay. What would you -- beyond what's
13 on the E-Site, what would you research?

14 A. The order form that he would have sent
15 in for those orders.

16 Q. Okay. Now, from the order form, is that
17 stuff inputted into the E-Site?

18 A. Yes.

19 Q. Is there stuff -- is there information
20 on the order form that's not on the E-Site?

21 A. Yes.

22 Q. What information is on the --

23 A. Shipping address and things that we
24 talked about before.

25 Q. That's on the order form, but not on the

Shannon Burns

1 E-Site?

2 A. Correct.

3 Q. Okay. Beyond Fitzsimmons, can you think
4 of any others?

5 We talked about one was Direct Tech
6 Enterprises; is that correct?

7 A. Correct. That is right, Direct Tech
8 does have one system.

9 Q. Do you know who they got that -- who
10 Direct Tech ordered for specifically? Do you
11 know who that is?

12 A. I think you know what that is.

13 Allegheny Republican Party.

14 Q. The Republican Committee of Allegheny
15 County?

16 A. Yeah, sounds good.

17 Q. Okay. Now, that was for Direct Tech?

18 A. Correct.

19 Q. Okay. And Mr. Kania is associated with
20 Direct Tech?

21 A. Yes.

22 Q. Okay. That's a subsidiary of Kania
23 Enterprises or some relation to Kania
24 Enterprises?

25 A. I don't know what the relationship would

Shannon Burns

1 be if there is one.

2 Q. Okay. When is the last time you spoke
3 to Mr. Kania?

4 A. I don't recall when the last time I
5 spoke to him was.

6 Q. In the last two weeks?

7 A. I'm not sure I have in the last two
8 weeks.

9 Q. In the last 30 days?

10 A. Yes. I think within the last month,
11 yes.

12 Q. Okay. What did Mr. Kania tell you?

13 A. I don't recall what the conversation
14 would have been about.

15 Q. You don't recall anything that you
16 discussed?

17 A. I do remember one conversation. He said
18 that he had hired a new employee to help him
19 support things.

20 Q. Now, you made a reference to me earlier.
21 You said I think you know who that is.

22 Did you discuss a letter that I had sent
23 to Mr. Kania?

24 A. I'm sorry, repeat the question.

25 Q. Did you discuss a letter that I had sent

Shannon Burns

1 to Mr. Kania?

2 A. With whom?

3 Q. With Mr. Kania?

4 A. Yes. Yes, I did.

5 Q. Okay. So that's in addition to the one
6 employee he hired, you talked about the letter I
7 sent him on July 27th?

8 A. Yes, I did have. I don't remember when
9 it was, but I did have a conversation with him
10 about that.

11 Q. Okay. Do you recall what you guys
12 discussed?

13 A. I think I discussed that he was going to
14 be seeing a letter coming in from him. And I got
15 a copy of it to him so he knew about it ahead of
16 time.

17 Q. Okay. How did you get a copy to him?
18 Did you e-mail him or fax him?

19 A. I'm fairly certain I e-mailed it to him.

20 Q. Okay. You e-mailed him, but you also
21 spoke with him on the telephone?

22 A. Correct.

23 Q. And have you spoken to him in person?

24 A. Repeat that again.

25 Q. Face to face.

Shannon Burns

1 A. When?

2 Q. Since July 27th, when I sent the letter?

3 A. I have not -- I don't remember ever
4 seeing him in person since you sent that letter.

5 Q. Okay. Have you spoken to a gentleman
6 named Sam DeMarco since July 27th?

7 A. I don't think I know who Sam DeMarco is.

8 Q. Okay. If I said he was the Republican
9 Committee of Allegheny. He's the chair of that.
10 Does that refresh your recollection?

11 A. Oh, I think I did meet him when I was in
12 their office.

13 Q. When were you in their office?

14 A. It was sometime in July. I don't recall
15 what the date was.

16 Q. Okay. Do you know how many phones you
17 have presently at RCAC?

18 A. Not off the top of my head.

19 Q. More than 10?

20 A. Yes, I believe there's more than 10.

21 Q. Now, one of the identifying factors of
22 Victory Solutions' phone, as I understand it,
23 correct me if I'm wrong, is that there's a red
24 cord; is that correct?

25 A. Yes.

Shannon Burns

1 Q. Between the communicator and the
2 receiver. So are you aware of any other
3 companies that use a red cord?

4 A. No.

5 Q. Okay. So if a picture appeared on
6 Facebook of somebody phone banking the red cord,
7 that would be some indicia that that's a Victory
8 Solutions unit?

9 A. I think that would be accurate.

10 Q. Okay. That would be a fair assumption
11 that it would be a Victory Solutions phone?

12 A. Yes.

13 Q. All right. Other than that -- so your
14 reseller there is Direct Tech.

15 Do you have any other current contracts
16 with Direct Tech at this time?

17 A. I don't believe so.

18 Q. Okay. How could you confirm that,
19 through the E-Site or the order forms?

20 A. Yes.

21 Q. Okay. Any others you can think of as we
22 sit here, other than Fitzsimmons and Direct Tech?

23 A. Off the top of my head, I can't think of
24 any others right now.

25 Q. Okay. But, again, all that information

Shannon Burns

1 would be readily accessible through the order
2 forms through the E-Site?

3 A. Yes.

4 - - - - -

5 (Thereupon, Plaintiff's Deposition Exhibit 6,
6 Garnishee list of names, was marked for purposes of
7 identification.)

8 - - - - -

9 Q. Okay. I'm going to go to Exhibit 6
10 here. And this is in tab 6 of the binder. I'm
11 going to go through some names, see if I can jog
12 your memory here.

13 So one is Axiom Strategies. Are you
14 currently doing any business with Axiom
15 Strategies that you can recall?

16 A. No.

17 Q. No, you don't recall; or no, you're not
18 doing business with them?

19 A. I don't believe we're doing any business
20 with them.

21 Q. Okay. But again, you can confirm that
22 through the order forms on the E-Site?

23 A. Yes.

24 Q. And that would be easy to do?

25 A. Fairly easy.

Shannon Burns

1 Q. Okay. Approximately how much time would
2 it involve right now, let's say, to confirm
3 whether you're doing business with Axiom
4 Strategies?

5 A. Within a day's worth of work or so.

6 Q. A day?

7 A. Less than a day's worth of work, sure.

8 Q. I mean, you have these stored into a
9 computer filing system, right?

10 A. Yes.

11 Q. Do you access -- are they in a
12 specific --

13 (Interruption.)

14 (Whereupon, the witness muted his
15 microphone.)

16 A. Sorry about that.

17 Q. So we're trying to figure out -- so if
18 you were to sit down right now and determine
19 whether or not you had any phones that were
20 shipped to your reseller, through your reseller,
21 Axiom Strategies, trying to figure out if it
22 would take you more than 30 minutes to do it?

23 A. It is possible, yes.

24 Q. That it would take more than 30 minutes?

25 A. Yes. If the E-Site isn't complete, I'd

Shannon Burns

1 have to do research to determine where systems
2 are, so yes, I think that it's realistic that it
3 would take longer.

4 Q. Okay. So there are two places we said,
5 order forms or the E-Site?

6 A. Right. Yes.

7 Q. How would you go about to find out
8 whether Axiom had a current order that you
9 fulfilled that's still in the field?

10 A. Well, I would look for evidence of an
11 order form coming in. I would look on the E-Site
12 to see if I have accurately documented it and
13 then compare those two with E-Site to see if I
14 have exhausted that -- I mean, obviously I want
15 to make sure I've exhausted the possibility that
16 we sent a system to them.

17 Q. Okay. So do you keep a certain sub
18 folder through Windows, you know, Windows' folder
19 for each reseller, so would there be a folder
20 called Axiom?

21 A. Yes.

22 Q. Then you would look for -- if you can
23 recall, who is the contact at Axiom?

24 A. I don't know who the contact would be
25 there anymore.

Shannon Burns

1 Q. Okay. But you would presumably have
2 some sort of e-mail or some attachment that would
3 have that information?

4 A. Yes.

5 Q. Okay. Now, who at Victory Solutions is
6 helping you fulfill these shipments?

7 A. Just me.

8 Q. Just you. Okay. So you ship everything
9 out?

10 A. Yes.

11 Q. Okay. Do you have anybody else helping?

12 A. No.

13 Q. Okay. How long has that been the case?

14 A. Has what been the case?

15 Q. That you've been the only person
16 shipping stuff out?

17 A. It's been almost all of 2020.

18 Q. Okay. So you would have firsthand
19 knowledge of everything that's gone out in at
20 least 2020, correct?

21 A. Correct.

22 Q. Okay. So other than Fitzsimmons and
23 Direct Tech, who can you recall sending equipment
24 to during 2020?

25 A. I've done so little, I just don't

Shannon Burns

1 remember the other ones.

2 Q. Okay. So you've done very few, but you
3 don't remember; is that your testimony?

4 A. Yes.

5 Q. Okay. But if you've done very few, then
6 you would be able in relatively quick fashion to
7 find out where those have been shipped, right?

8 Do you have a UPS account that you have
9 automated or do you go through Fed Ex?

10 A. Yes, we have an UPS.

11 Q. So you could print out a UPS report say
12 at least to know where you shipped stuff.

13 Is that something that would be readily
14 accessible to you?

15 A. Yes, I'm certain that UPS has some sort
16 of a report for that, absolutely.

17 Q. Okay. And that's something then you run
18 those UPS reports in your facile with software?

19 A. I've never done it before.

20 Q. Okay. But do you generate the shipping
21 labels personally?

22 A. Yes.

23 Q. Okay. And then do you send some sort of
24 -- do you send an invoice to the reseller or how
25 does that work?

Shannon Burns

1 A. Yes.

2 Q. Okay. So you would have a record of the
3 invoices, too, that you've sent in 2020?

4 A. Yes.

5 Q. Where do you keep those invoices?

6 A. In QuickBooks.

7 Q. QuickBooks. Okay. Now, does the
8 QuickBooks, is there any overlap between the
9 information in QuickBooks and the E-Site?

10 A. I mean, the name of the reseller is in
11 both.

12 Q. Okay. Anything else?

13 A. Sometimes the system number makes it
14 into the QuickBooks.

15 Q. Okay.

16 A. Not consistently.

17 Q. Not consistently.

18 Okay. Is there typically a name in
19 QuickBooks as the person you're directing the
20 invoice?

21 A. I just -- I'm not sure. Honestly, I'm
22 not sure whether there's typically a name. I
23 mean, the company is always on there and, of
24 course, the e-mail address that it gets sent out
25 to.

Shannon Burns

1 Q. But sitting here today for 2020, you
2 can't think of any others that you've sent
3 equipment to, other than Fitzsimmons and Direct
4 Tech?

5 A. Sorry, right now I can't.

6 Q. Okay. On this list here of people we
7 sent garnishments to before, how about Candidate
8 Command, does that ring a bell?

9 A. Yes.

10 Q. Any current business with Candidate
11 Command?

12 A. Not that I recall.

13 Q. Okay. Chariot Research?

14 A. Not that I recall.

15 Q. Cloud Strategies?

16 A. Not that I recall.

17 Q. Cygnal?

18 A. Not that I recall.

19 Q. Okay. So there's one that we talked
20 about, Direct Tech Solutions, highlighted?

21 A. Right.

22 Q. That's the one with associated with Rob
23 Kania, K-A-N-I-A?

24 A. Correct.

25 Q. How about Grass Roots Partners?

Shannon Burns

1 A. Not that I recall.
2 Q. GSG Strategies?
3 A. Who is it? I'm sorry.
4 Q. GSG Strategies?
5 A. Not that I recall.
6 Q. Hallowell Consulting?
7 A. No.
8 Q. Littlefield Communications?
9 A. Who is it, I'm sorry.
10 Q. Littlefield Communications?
11 A. No, not that I recall.
12 Q. Maine Republican Party?
13 A. Not that I recall.
14 Q. MDS Communications?
15 A. Who is it?
16 Q. MDS? It's highlighted.
17 A. I don't recognize that name.
18 Q. Okay. Mine Creek Strategies?
19 A. Not that I recall.
20 Q. Political Media, Inc.?
21 A. Not that I recall.
22 Q. Revolvis?
23 A. No, they're out of business.
24 Q. Okay. SOCO, S-O-C-O, Strategies, LLC?
25 A. Not that I recall.

Shannon Burns

1 Q. Okay. Surge Red?

2 A. The answer is no, I'm sorry.

3 Q. I couldn't hear that.

4 A. I said the answer was no on that.

5 They're out of business.

6 Q. Okay. Take Back Our Republic?

7 A. No.

8 Q. Okay. The Prosper Group?

9 A. No.

10 Q. Strategy Group Company?

11 A. Not that I recall, no.

12 Q. Okay. Twin Oak Connect?

13 A. Not that I recall.

14 Q. UPT Strategies?

15 A. Not that I recall.

16 Q. All right. Victory Media?

17 A. No, not that I recall.

18 Q. What's the name of the gentleman

19 associated with Victory Media? They're in

20 Michigan; is that right?

21 A. No, I think -- I think Victory Media is

22 out of Illinois, I think.

23 Q. Okay. How about Victory Phones, is that

24 Michigan?

25 A. Yes, they're in Michigan.

Shannon Burns

1 Q. Okay. Are you doing any work with them
2 presently?

3 A. I believe we did have a small project
4 with them. I don't recall the details of it.

5 Q. Okay. But you believe you have one
6 presently, but that's something you could find
7 out either through the invoices or through UPS
8 or --

9 A. Correct.

10 Q. -- through order forms or through the
11 E-Site?

12 A. That's correct.

13 Q. And if somebody had shipped something to
14 Victory Phones, it would have been you, correct?

15 A. Yes.

16 Q. Okay. But sitting here today, you can't
17 recall if you presently have a project with them
18 outstanding?

19 A. That's correct.

20 Q. Young Republicans National Federation?

21 A. No, I don't think I've ever done
22 business with them.

23 Q. Okay. I have to get you to speak up
24 just a little bit or get closer.

25 A. I said no, I don't recall that, no.

Shannon Burns

1 Q. Okay. Again, make sure I'm on the right
2 Exhibit here. We're on Exhibit 6. We're on page
3 58 of the binder. There is -- here we go,
4 Ascendant Public Policy Group, LLC?

5 A. We may have one system with Ascendant.

6 Q. Are they located in Ohio?

7 A. Yes, they are.

8 Q. Okay. Do you know where that system
9 would have been sent to, inside Ohio or outside
10 of Ohio?

11 A. I think it was sent to some place in
12 California.

13 Q. California. Okay. Would that be the
14 California Republican Party?

15 A. No, we're not going business with them.

16 Q. I'm sorry?

17 A. Thanks for that by the way.

18 Q. I'm sorry, I missed what you said.

19 A. I said no. No, not for California
20 Republican Party.

21 Q. Okay. How about Campaign Now, LLC?

22 A. No.

23 Q. How about Murphy Nasica?

24 A. No.

25 Q. How about Ascendant Communications?

Shannon Burns

1 A. I'm pretty sure you already asked me
2 that.

3 Q. Well, I asked you about the Ascendant
4 Public Policy Group, I think.

5 A. I'm not familiar with Ascendant
6 Communications.

7 Q. Okay. I think they're related, but a
8 different entity or DBA or something.

9 How about the Aventine Group?

10 A. The Aventine Group? I'm not familiar
11 with that.

12 Q. Okay. Cloudage Strategies or Cloudage?

13 A. No, not that I recall.

14 Q. Okay. Fitzsimmons Communications,
15 that's one we talked about in New Jersey,
16 correct?

17 A. Correct.

18 Q. Okay. And you said that was -- did you
19 say that was Bob Fitzsimmons?

20 A. No, I didn't.

21 Q. What is Fitzsimmons' name?

22 A. Excuse me?

23 Q. What is Mr. Fitzsimmons' first name?

24 A. Tom.

25 Q. Tom. Okay. Gilliard Blanning (Polling

Shannon Burns

1 America), does that ring a bell?

2 A. It does ring a bell.

3 Q. Is that somebody you're currently doing
4 business with?

5 A. Not that I recall.

6 Q. Okay. But again, if you were, that
7 would be -- you could find that on the sources we
8 discussed, correct?

9 A. Yes.

10 MR. MURPHY: Nancy, do you need a break?
11 I have a couple more, but do you need a break
12 after this?

13 THE REPORTER: No, thank you. I'm fine.

14 Q. ICS Consulting, Inc.?

15 A. It is possible we might have one still
16 with ICS. I'm not sure.

17 Q. Where is ICS located?

18 A. Atlanta.

19 Q. Who is your point of contact at ICS?

20 A. John Parker.

21 Q. Olson Strategies & Advertising?

22 A. Not that I recall.

23 Q. People Who Think, LLC?

24 A. Not that I recall.

25 Q. Potomac Strategy Group?

Shannon Burns

1 A. Not that I recall.

2 Q. The Prosper Group Corporation?

3 A. You already asked me that.

4 Q. Oh, did I? I'm sorry. And the answer
5 was you don't recall?

6 A. Correct.

7 Q. Yep. I apologize. REACH
8 Communications?

9 A. I don't recognize that name.

10 - - - - -

11 (Thereupon, Plaintiff's Deposition Exhibit 9,
12 Bankruptcy Form 202 for Victory Solutions, LLC,
13 dated March 12, 2018, was marked for purposes of
14 identification.)

15 - - - - -

16 Q. Okay. I'm going to show you something
17 in Exhibit 8 -- I'm sorry, Exhibit 9. It's page
18 -- let me ask this: Does Victory Solutions
19 presently maintain a bank account?

20 A. I'm sorry, you trailed off. I couldn't
21 hear you.

22 Q. Does Victory Solutions currently
23 maintain one or more bank accounts?

24 A. Yes.

25 Q. And what institutions does Victory

Shannon Burns

1 Solutions use?

2 A. First National Bank of PA.

3 Q. Any others?

4 A. No.

5 Q. Okay. So this is something that was
6 filed in one of your bankruptcy matters. Again,
7 this is -- we've marked as Exhibit 9, this is
8 filed on March 12, 2018. At that time --

9 (telephone interruption.)

10 Q. This is topic number 17 definitely here.

11 But it says you used First National Bank and then
12 J.P. Morgan Chase.

13 Do you know if this is the same account
14 you use now -- did you use the same account then
15 as you're using now?

16 A. I'm not familiar with which filing this
17 is, so I couldn't tell you.

18 Q. Have you reestablished a bank account
19 for Victory Solutions in the last two years?

20 A. In the last what? I'm sorry.

21 Q. Two years. This is filed March 12,
22 2018. Have you closed and reopened an account
23 since then?

24 A. I just don't recall. There was movement
25 that had to happen because of the bankruptcy that

Shannon Burns

1 they had specific accounts need to be open. I
2 don't remember what dates those were.

3 Q. Did you provide wiring instructions to
4 your resellers about where to wire money to what
5 account?

6 A. Yes.

7 Q. Okay. And do you have that on a printed
8 form or some sort of standardized sheet of paper
9 that you send them to?

10 A. I don't think we have like a
11 standardized form, no.

12 Q. How do you convey what your account and
13 wiring instructions are to your reseller?

14 A. We just send an e-mail.

15 Q. So you would have those account numbers
16 in an e-mail?

17 A. Yes.

18 Q. And you could access those account
19 numbers in a readily available fashion?

20 A. Yes.

21 Q. Okay. So I want to look at 109 -- let
22 me ask this to close this out. So J.P. Morgan
23 Chase, you're not presently using J.P. Morgan
24 Chase in any fashion at all for Victory Solutions
25 work?

Shannon Burns

1 A. Correct.

2 Q. So since -- well, here. So topic 17
3 says, "Since January 1, 2020, any accounts where
4 funds for goods or services provided by Victory
5 Solutions are deposited, whether the account is
6 in the name --" sorry, typo there "-- is in the
7 name of Victory Solutions, Shannon Burns, or any
8 other employees, agents, or relatives thereof,
9 including the name and branch of the bank, credit
10 union, or other financial institution, the name
11 or names listed on the account, the account
12 numbers, and routing numbers."

13 So as you sit here today, you couldn't
14 give me that information; is that correct?

15 A. I don't have them memorized, no.

16 Q. Okay. But that's something you have
17 readily access to you through your wiring
18 instructions or through a checkbook or through
19 something?

20 A. Yes.

21 Q. Okay. Where is your -- you said it was
22 First National Bank of Pennsylvania. What branch
23 do you primarily use?

24 A. Strongsville, Ohio.

25 Q. Strongsville, Ohio. Okay. Do you know

Shannon Burns

1 the address?

2 A. Not off the top of my head.

3 Q. Okay. Do you know the street name?

4 A. Pearl Road.

5 Q. What was it?

6 A. Pearl Road.

7 Q. Pearl like in an oyster?

8 A. Like what? I'm sorry.

9 Q. Pearl like in an oyster?

10 A. Yes.

11 Q. I can't hear you.

12 A. Yes.

13 Q. You tail off. I think it's the
14 technology.

15 Do you have a contact at that bank?

16 A. No, not really.

17 Q. Okay. So for any work that Victory
18 Solutions has done, do your wiring instructions,
19 do they say Victory Solutions or do they say
20 Shannon Burns or how do you present the wiring
21 instructions?

22 A. Victory Solutions.

23 Q. Okay. So you don't -- you're not --
24 this is the only account that you use for
25 professional work that generates fees?

Shannon Burns

1 A. I already answered that question.

2 Q. Okay. And that name is in the -- that
3 account is in the name of Victory Solutions?

4 A. Yes.

5 Q. Okay. It doesn't have your name on it
6 individually?

7 A. No.

8 Q. Okay. Now, for any of these phone
9 rentals or any other -- or since 2020, this is
10 the only account where your resellers, your
11 direct contacts have wired funds to you for
12 Victory Solutions work?

13 A. I don't recall whether I received any
14 wires in 2020.

15 Q. You wouldn't have received a wire from
16 Direct Tech for phones that you sent to them?

17 A. I don't recall receiving a wire.

18 Q. Okay.

19 A. Not that I remember at least.

20 Q. How about would they send you a check?

21 A. No.

22 Q. How would -- so under what terms are you
23 -- how are you paid then from Direct Tech if it's
24 not by wire or check?

25 A. They pay through the QuickBooks invoice.

Shannon Burns

1 It's either through credit card or ACH.

2 Q. Okay. So you accept credit cards then?

3 A. Yes, through QuickBooks online.

4 Q. Okay. And then where would the ACH go?

5 Would that go to that First National account --

6 A. Yes.

7 Q. -- or is that another account?

8 A. Yes.

9 Q. Just for the record here, what's an ACH
10 payment? What is that?

11 Do you know what ACH stands for?

12 A. I don't.

13 Q. Okay. Automated clearinghouse, does
14 that ring a bell?

15 A. If you say so. I don't know what it
16 means. I don't know what it stands for.

17 Q. All right. So how do you reclaim your
18 -- let me ask you this: Do you have some sort of
19 corporate account or subscription with
20 QuickBooks?

21 A. Yes.

22 Q. I see your head nod, but is that --

23 A. I said yes.

24 Q. I lost sounds here on my end.

25 A. Can you guys able to hear me?

Shannon Burns

1 Q. Yeah, I can hear you now.

2 So do you maintain a license agreement
3 through QuickBooks, like a monthly subscription
4 or something?

5 A. Yes.

6 Q. Okay. So you have an account with them
7 where certain credit card payments will go to?

8 A. I don't know how it works.

9 Q. Okay. Does QuickBooks remit money back
10 to Victory Solutions on like a periodic basis?

11 A. I don't know what you mean by that.

12 Q. Well, you said they can pay through
13 QuickBooks online with a credit card, right?

14 A. Correct.

15 Q. So I mean, you can't receive a credit
16 card directly, so somebody has to handle that
17 between you and the person who submits the credit
18 card, right?

19 A. Yes.

20 Q. Okay. So how do you -- if somebody pays
21 with a credit card, how does Victory Solutions
22 come into possession of that money? Is it
23 credited automatically? Do you receive a monthly
24 check? How does that work?

25 A. It just shows up in our account. I

Shannon Burns

1 don't know how it works.

2 Q. Okay. But it comes -- how does it show
3 up in your account as?

4 Does it show a deposit from -- you just
5 get a deposit from QuickBooks?

6 A. I don't remember how it shows up in my
7 account.

8 Q. Okay. How do you -- what do you do to
9 verify that you received all the money that's due
10 to you?

11 A. I don't know. I don't know what you
12 mean by that. The amount shows up in the account
13 and then it shows up.

14 Q. Okay. But do you -- I mean, do you make
15 any sort of attempt at cross reference your
16 accounts receivable with what you receive?

17 A. It goes in automatically. I don't have
18 to do anything like that.

19 Q. Do you have some sort of contract with
20 QuickBooks to provide these services or just an
21 online licensing agreement?

22 A. I don't recall.

23 Q. Okay. Who set that up, do you remember?

24 A. I don't remember who would have set it
25 up. It's been years ago.

Shannon Burns

1 Q. Okay. How long have been using it for?

2 A. As long as I can remember.

3 Q. Okay. Do you know if you're currently
4 doing any business directly through any campaigns
5 or other entities that's not through a reseller?

6 A. Not that I'm aware of.

7 Q. How would you confirm that?

8 A. We don't --

9 Q. The example I'm using, we can go to the
10 FEC report, if we need to, but there was income
11 in the last 2016 cycle for Trump for President,
12 right, that was in the name of Victory Solutions;
13 do you recall that?

14 A. Yes.

15 Q. Okay. Do you have any other similar
16 arrangements presently with any campaigns or
17 committees or others that are similar?

18 A. Not that I'm aware of.

19 Q. In 2020, you would have been the person
20 that would have handled all of that information
21 and sent stuff and signed the contract and done
22 whatever?

23 A. Yes.

24 Q. Okay. But sitting here today, you can't
25 remember any that you've done contact with

Shannon Burns

1 directly?

2 A. Not that I recall.

3 Q. Again, if you were, you could confirm
4 that through the UPS or through other records,
5 invoices or E-Site that would remind you?

6 A. Yes.

7 Q. But that's not something you did to
8 prepare for today?

9 A. Excuse me?

10 Q. That's not something you did to prepare
11 for today's deposition?

12 A. I don't know what you're asking me.

13 It's not what I did for what? What do you mean?

14 Q. You didn't go and look at any documents
15 that would refresh your recollection sitting here
16 today that would have reminded you or instructed
17 you as to who you're currently doing business
18 with directly, Victory Solutions?

19 A. As a rule, we don't do business
20 directly, so I would have no reason to go do
21 that.

22 Q. Okay. But you have done directly in the
23 past under certain circumstances, right, with
24 Trump 2016?

25 A. We did in that scenario.

Shannon Burns

1 MR. MURPHY: Can we just take like a
2 10-minute break, I can organize my notes. Given
3 where we are, I don't think I have much more, but
4 give me 10 and we'll come back.

5 THE WITNESS: I'm fine with that.

6 MR. FORBES: I'll get coffee.

7 (Recess taken.)

8 MR. MURPHY: Back on the record.

9 BY MR. MURPHY:

10 Q. The last thing I want to ask you about,
11 this is one of the reports that was filed in the
12 bankruptcy. Where did it go? That's why.

13 Are you guys able to see it?

14 A. I am.

15 MR. FORBES: I am.

16 Q. This is on page 523, 12/31. I want to
17 ask you, Mr. Burns, at 12/31 here, there is a
18 highlight. At the end of the month, there is a
19 -- looks like a payment from Victory Solutions to
20 QuickBooks Intuit, for \$222.48.

21 So is that part of your monthly account
22 to QuickBooks for its licensing software to you,
23 to Victory Solutions?

24 A. I'm not really sure. I'm not sure if
25 that would be a transaction of what you speak of.

Shannon Burns

1 Q. You're still operating under the same
2 QuickBooks arrangements generally that you had at
3 this time when you disclosed this payment to
4 QuickBooks?

5 A. Yes.

6 Q. Okay. That hasn't changed. And then it
7 looks like QuickBooks is based in California.
8 But you're not sure, sitting here today, how if
9 somebody makes a credit card payment to
10 QuickBooks, how it makes its way back into a
11 Victory Solutions account?

12 A. No, no idea.

13 MR. MURPHY: All right. I have no
14 further questions.

15 Do you have any questions, Glenn?

16 MR. FORBES: No, I have no questions.

17 MR. MURPHY: Okay. Is he going to read
18 and sign?

19 MR. FORBES: I think we'll read.

20 (Deposition concluded at 2:53 p.m.)

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Shannon Burns

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CERTIFICATE

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The State of Ohio,)

SS:

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County of Lorain.)

4

I, Nancy L. Molnar, a Notary Public within
and for the State of Ohio, duly commissioned and
qualified, do hereby certify that the within named
witness, SHANNON BURNS, was by me first duly sworn
to testify the truth, the whole truth and nothing
but the truth in the cause aforesaid; that the
testimony then given by the above-referenced
witness was by me reduced to stenotypy in the
presence of said witness; afterwards transcribed,
and that the foregoing is a true and correct
transcription of the testimony so given by the
above-referenced witness.

5

I do further certify that this deposition
was taken at the time and place in the foregoing
caption specified and was completed without
adjournment.

6

I do further certify that I am not a
relative, counsel or attorney for either party, or
otherwise interested in the event of this action.

7

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my seal of office at Avon Lake,
Ohio, on this 21st day of September, 2020.

8

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10

Nancy L. Molnar

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Nancy L. Molnar, Notary Public
Within and for the State of Ohio

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My commission expires July 15, 2023.

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Shannon Burns

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- - - - -
E R R A T A

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4 PAGE LINE CHANGE

5 _____

6 REASON: _____

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8 REASON: _____

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10 REASON: _____

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12 REASON: _____

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14 REASON: _____

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16 REASON: _____

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20 REASON: _____

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22 REASON: _____

23 _____

24 REASON: _____

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Shannon Burns

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2 ACKNOWLEDGMENT OF DEPONENT

3

4 I, _____, do
5 hereby certify that I have read the
6 foregoing pages, and that the same is
7 a correct transcription of the answers
8 given by me to the questions therein
9 propounded, except for the corrections or
10 changes in form or substance, if any,
11 noted in the attached Errata Sheet.

12

13

14

15 Shannon Burns DATE

16

17

18 Subscribed and sworn
to before me this

19 _____ day of _____, 20_____.
20 My commission expires: _____

21

22 _____
22 Notary Public

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